



ENVIRONMENTAL CONSERVATION

Drinking Water and Groundwater Protection Division

GUIDANCE

**Vermont Water Operator Certification Advisory Committee
General Guidelines for
Public Water System Contracting Water Operations**

A contract for the operation of your Public Water System (PWS) should contain information and requirements in the areas described below. This document is intended as a guide in developing a contract. It is recommended that you seek legal counsel to review the contract before implementation.

General Information:

- Name of the contact operator, certification status, and the PWS receiving the contracted services.
- The contract operator must be certified. Be sure to check the contract operator's certification status, work experience, and references before selecting an operator. Ensure the contract operator's certification status is appropriate for your water system. Complete Official Contact Form and return the form to the Vermont Drinking Water and Groundwater Protection Division (DWGWPD). Discuss availability of a backup operator with current operator. Identify back-up operator on the Official Contact Form if applicable.
- A description of your water system is needed. Indicate the number of service connections population served, the treatment present, storage and distribution, your water source, etc. Include Water System Identification Number (WSID), boundaries of service, metering methods if applicable, and additional information about the PWS if pertinent to operations. A description of the water system should be consistent with the description found in the system's Operations and Maintenance (O&M) Manual.

Period of Service and Effective Date:

- The effective start and end date for the contract.
 - Contracts are recommended for a period no longer than three years. Include renewal, termination, and final invoice language (See Termination Section below)

Scope of Services:

- The number of sites and hours the contract operator is expected to spend each week, month, or quarter at the water system with the requirement that the contract operator document and submit to you the actual amount of time spent at your water system. Include a general time breakdown including field services, meeting attendance, emergency response.
- The scope of services including duties and responsibilities of the contract operator (See the VT Water Supply Rule Subchapter 21-12.2.2 (b) for other details):
 - Site Work
 - Sampling
 - Laboratory responsibilities
 - Communications (between Owner, Administrative Contact, Operator, and DWGWPD)

- Reporting responsibilities (sampling, public notice, consumer confidence report (CCR), sanitary survey, etc.)
- Sanitary Survey Inspections
- Inspect
- Facility improvements
- Basic equipment maintenance
- Chemical make-up and feed equipment calibration
- Basic interior housekeeping
- Distribution system maintenance (annual flushing, gate and hydrant checks, etc.)
- Water breaks, new tap inspections, new construction inspection
- Master planning, strategic planning, facility planning involvement
- Customer service expectations
- Work plan development, performance assessments
- Budget assistance
- Record maintenance- distribution system appurtenances, including hydrant, gate valve/curb stop ties, etc.
- O&M manual, emergency response plan development and updates
- Leak detection and water audit programs, including response plan

Compensation:

- List a detailed fee structure for the contract. Consider there are likely to be major costs spent above normal operations. Include language for outside expenses associated with water breaks, system extensions, etc. (labor, equipment, materials) and normal costs associated with day-to-day operating expenses.
- Work with system owner to develop an operating and capital budget.

Time and Method of Payment:

- Specify a payment method.
 - Consider things such as who will make the payments and whether or not the contractor will submit monthly invoices.
 - Consider the requirement of additional fees for emergency call out services and on-call services.

Owner's Responsibilities:

- Clearly document the responsibility that the owner or responsible person will retain.
 - The contract operator should provide a list of routine operation checks made by the PWS owner or responsible person. The owner or responsible person will notify the contract operator of any scheduled or unplanned system problems, repairs, or modifications that arise in the contract operator's absence.
 - The owner is responsible for communicating all required regulatory information to the operator. The Owner is responsible for legal compliance with State, and Federal regulations.
 - The Owner must be able to define a water system organization (flow) chart, where applicable.
 - The Owner is ultimately responsible for public communication and notification, which can be more specifically defined in contract language e.g. emergency notice preparation and delivery, CCR's, etc.
 - The Owner is responsible for financial capacity, including budgeting for all revenue and expenses, long-term planning, and fiscal controls.
 - The Owner is responsible for providing accurate information to the operator relevant to the preparation and use of an O&M manual.

Accessibility:

- The distances between a contract operator and a water system should be such that, if there is an emergency, the contract operator is able to reach the water system within an acceptable period of time from the first notification of the emergency.

Insurance:

- Specify whether the contract operator will provide comprehensive general liability insurance to cover bodily injury and property damage resulting from negligent performance of the service covered in the contract.

Termination:

- The contract should have an agreement of termination (by either party, in advanced, written notice for a specified amount of lead time), including wording to modify or amend the agreement by either party as needed. Include wording defining ownership of all information associated with the water system to be provided to the system owner upon termination.

This form and related environmental information are available electronically at:

<http://www.drinkingwater.vt.gov>

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